



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 02 2010

REPLY TO THE ATTENTION OF.

The Honorable Craig R. Fry
Indiana House of Representatives
200 West Washington
Indianapolis, Indiana 46204

Dear Mr. Fry:

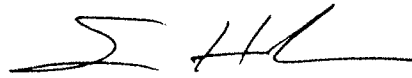
Thank you for your letter dated August 4, 2010 concerning the VIM Recycling, Inc. site ("VIM") in Elkhart, Indiana. I realize that this is a priority issue for you and your constituents, and I am aware of your past communications with my staff.

As you know, the Indiana Department of Environmental Management (IDEM) has jurisdiction over water, air and solid waste permitting at VIM, and is the lead governmental agency for environmental issues at this facility. Nonetheless, the U.S. Environmental Protection Agency acted quickly and aggressively in response to IDEM's request for assistance to address the problem with the C-pile that you referenced in your letter. Our efforts led to the extinguishing and removal of all smoldering debris within six months. EPA inspector(s) were on site nearly every day to ensure that smoke, fires and odors were minimized to the greatest extent possible. EPA staff were directly responsive to all citizen complaints and inquiries, many times responding in person and distributing three different Fact Sheets door-to-door in the surrounding neighborhood over the course of the project.

We have attempted to respond to all of your inquiries, and have reviewed all of the information submitted to us by you and your constituents during the last several years. On July 21, 2010, EPA mailed a response to your July 13, 2010 e-mail, but it was returned to our office on July 30, 2010. Another copy of the response was mailed on August 2, 2010 (see enclosure).

Should you wish to discuss this matter further, I have asked Bruce Sypniewski, Acting Director, Land & Chemicals Division, and Paul Ruesch, VIM Project Manager, to be available to meet with you either in person or by telephone. You may contact Ronna Beckmann or Denise Gawlinski, the EPA Region 5 Intergovernmental Liaisons, at 312-886-3000 to arrange the meeting. Again, thank you for your letter.

Sincerely,

A handwritten signature in black ink, appearing to be 'S Hedman', written in a cursive style.

Susan Hedman
Regional Administrator

Enclosure



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77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 21 2010

REPLY TO THE ATTENTION OF: L-8J

The Honorable Craig R. Fry
Indiana House of Representatives
P.O. Box 1066
Indianapolis, Indiana 46546-1066

Dear Mr. Fry:

The purpose of this letter is to respond to the questions in your email dated July 13, 2010 concerning the VIM Recycling, Inc. (VIM) site in Elkhart. Many issues you raise were addressed in a response to Marilyn Cage of your staff dated October 28, 2009 (enclosed).

The focus of EPA's Administrative Consent Order (ACO) at VIM was to extinguish the fire within the C waste that was causing smoke and odors. This goal was accomplished under the ACO, as all C waste was screened and the larger waste materials were removed. The smaller materials, or "fines," were left behind as they did not represent a fire threat and did not require further processing to be incorporated into a soil amendment product. IDEM has issued a permit to Soil Solutions Company to process material similar in nature as the fines to create a beneficial soil amendment product. You can contact Mr. Bruce Palin of IDEM at 317-233-6591 for further information regarding this permit. With respect to any ongoing state legal actions involving VIM, you can contact Valerie Tachtiris at the Indiana Attorney General's Office at 317-232-6290.

Every action that we have taken at this site has been with the goal of protecting the people of the Baugo North Neighborhood. We have taken all calls by residents, elected officials and IDEM very seriously. EPA worked diligently to ensure completion of work pursuant to the ACO as well as the request for additional assistance by IDEM and Elkhart County on the perimeter berms.

If you have any other questions, please feel free to contact Ronna Beckmann, the EPA Region 5 Intergovernmental Liaison, at 312-886-3000.

Sincerely,

Bruce F. Sypniewski,
Acting Director
Land and Chemicals Division

Enclosure